

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ROBERT MENENDEZ, WAEL HANA, and FRED
DAIBES,

Defendants.

23-cr-490 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

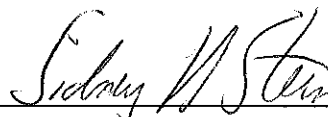
The Court has received a letter from Daniel Risis dated October 15, 2024 requesting to address the Court as a crime victim pursuant to the Crime Victims' Rights Act, 18 U.S.C. § 3771, at the sentencing of Robert Menendez, Wael Hana, and Fred Daibes. (ECF No. 688.) That request is denied. Under the Crime Victims' Rights Act, a crime victim has the right to be heard at sentencing, but that victim must be the victim of an offense charged in the action for which the defendant is being sentenced. *See* 18 U.S.C. § 3771(e)(2); *see also In re Rendon Galvis*, 564 F.3d 170, 175 (2d Cir. 2009); *Thompson v. Steinberg*, No. 20-mc-207, 2021 WL 3914079, at *2 (S.D.N.Y. Sept. 1, 2021), *aff'd*, No. 21-2444-CV, 2023 WL 353359 (2d Cir. Jan. 23, 2023).

Mr. Risis alleges that Fred Daibes, "in concert with Mariners Bank," orchestrated fraudulent financial dealings that caused Mr. Risis substantial harm. (ECF No. 688 at 2.) The defendants in this action are not charged with any financial wrongdoing involving Mariners Bank. Therefore, Mr. Risis is not a "victim" for purposes of the Crime Victims' Rights Act, 18 U.S.C. § 3771. *See also* N.J.S.A. §§ 52:4B-36, 52:4B-37.

Accordingly, Mr. Risis' request is denied.

Dated: New York, New York
January 27, 2025

SO ORDERED:



Sidney H. Stein, U.S.D.J.